

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JD CHARLES MCMANUS,  
Plaintiff,

v.

HENRY RICHARDS,  
Defendant.

Case No. C05-5564 FDB


ORDER GRANTING  
DEFENDANT'S MOTION TO  
DISMISS

The Magistrate Judge recommends that Defendant's motion to dismiss this 42 U.S.C. § 1983 civil rights action be granted. As detailed by the Magistrate Judge, after providing Plaintiff two extensions to file a response to the motion to dismiss, the Plaintiff's allegations remain vague and conclusory and fail to show how any defendant has personally denied Plaintiff of a right or privilege secured by the Constitution or laws of the United States.

The Court, having reviewed plaintiff's complaint, the Report and Recommendation of Magistrate Judge J. Kelley Arnold, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Defendants' motion to dismiss for failure to state a claim [Dkt. #10] is GRANTED; and Plaintiff's claims and causes of action are DISMISSED;
- (3) The Clerk is directed to send copies of this Order to plaintiff and to the Hon. J. Kelley Arnold.

DATED this 16<sup>th</sup> day of June, 2006.

  
FRANKLIN D. BURGESS  
UNITED STATES DISTRICT JUDGE